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4 FOUNDRY NETWORKS, INC,

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7 No. C02-4909 CRB (JCS)

8 Plaintiff(s),

9 v.

10 NORTEL NETWORKS, INC, ET AL.,

11 Defendant(s).

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13 **ORDER DENYING WITHOUT
14 PREJUDICE DEFENDANT'S JOINT
15 REPORT REGARDING STRIKING
16 SUPPLEMENTAL DISCOVERY [Docket
17 No. 321]**

18 On September 9, 2004, Defendant's filed a Joint Report Regarding Striking Supplemental
19 Discovery (the "Motion").

20 IT IS HEREBY ORDERED that the Motion is DENIED without prejudice to raising the issue
21 before the district judge.

22 IT IS SO ORDERED.

23 Dated: September 13, 2004

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25 /s/ Joseph C. Spero
26 JOSEPH C. SPERO
27 United States Magistrate Judge
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